

Exhibit 1

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

ANDREW CORZO, SIA HENRY,
ALEXANDER LEO-GUERRA, MICHAEL
MAERLENDER, BRANDON PIYEVSKY,
BENJAMIN SHUMATE, BRITTANY
TATIANA WEAVER, and CAMERON
WILLIAMS, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

BROWN UNIVERSITY, CALIFORNIA
INSTITUTE OF TECHNOLOGY,
UNIVERSITY OF CHICAGO, THE TRUSTEES
OF COLUMBIA UNIVERSITY IN THE CITY
OF NEW YORK, CORNELL UNIVERSITY,
TRUSTEES OF DARTMOUTH COLLEGE,
DUKE UNIVERSITY, EMORY UNIVERSITY,
GEORGETOWN UNIVERSITY, THE JOHNS
HOPKINS UNIVERSITY, MASSACHUSETTS
INSTITUTE OF TECHNOLOGY,
NORTHWESTERN UNIVERSITY,
UNIVERSITY OF NOTRE DAME DU LAC,
THE TRUSTEES OF THE UNIVERSITY OF
PENNSYLVANIA, WILLIAM MARSH RICE
UNIVERSITY, VANDERBILT UNIVERSITY,
and YALE UNIVERSITY,

Defendants.

Case No. 1:22-cv-00125

Hon. Matthew F. Kennelly

**DECLARATION OF ERIC L. CRAMER IN SUPPORT OF PLAINTIFFS' MOTION
FOR AWARD OF ATTORNEYS' FEES, FOR REMIBURSEMENT OF EXPENSES,
AND FOR SERVICE AWARDS FOR THE CLASS REPRESENTATIVES**

I, Eric L. Cramer, declare as follows:

1. I am the Chairman of the law firm Berger Montague PC. I submit this declaration in support of Plaintiffs' motion for an award of attorneys' fees and expenses in connection with

the services rendered, and costs and expenses incurred, in *Henry, et al. v. Brown Univ., et al.*, Case No. 1:22-cv-00125 (the “Action”). I am fully familiar with this Action, and have personal knowledge of the matters set forth in, and attached to, this Declaration.

2. My firm served as one of the counsel for Plaintiffs and the proposed Settlement Class in the Action, and has been appointed as one of the three Settlement Class Counsel. *See* ECF Nos. 439, 614, 638 (appointing Settlement Class Counsel). The schedule attached as Exhibit A is a true and correct summary identifying the attorneys, paralegals, and other professional staff who have worked on this Action, the number of hours those individuals worked, their hourly billing rates and their respective lodestar values at historical rates. The schedule attached as Exhibit A sets forth my firm’s total hours and lodestar, by year at historical rates from inception of the case through and including March 31, 2024. This schedule was prepared from contemporaneous, daily time records prepared and maintained by my firm. In connection with representing the Plaintiffs in the Action, my firm did the following:

- (1) conducting an initial case investigation and drafting pleadings in cooperation with Settlement Class Counsel;
- (2) briefing, with Settlement Class Counsel, oppositions to the three motions to dismiss, all of which were denied in their entirety;
- (3) drafting a proposed protocol for the Production of Electronically Stored Information, in cooperation with Settlement Class Counsel;
- (4) negotiating and drafting, in cooperating with Settlement Class Counsel, a proposed Confidentiality Order and its two subsequent amendments;
- (5) leading the drafting, proposing, and advocacy for the overall case schedule, which the Court largely adopted;

(6) leading negotiations for all Defendants with respect to production of structured data in consultation with economic experts, including participating in numerous and lengthy meet-and-confers with Defendants;

(7) meeting with Settlement Class Counsel at least twice weekly to discuss overall litigation strategy, including, *inter alia*, the best ways to conduct discovery, key documents and testimony, and organization of the factual record;

(8) drafting and serving, in cooperation with Settlement Class Counsel, extensive written discovery;

(9) negotiating, in cooperation with Settlement Class Counsel, custodians, ESI sources, search terms, and the temporal scope of Defendants' productions;

(10) managing a team of attorneys to efficiently and effectively review and analyze approximately 250,000 documents exceeding 1.2 million pages;

(11) principally drafting certain motions to compel and editing and providing input on numerous others;

(12) preparing for important fact depositions in this case by (a) identifying key documents to be used at each deposition, (b) preparing extensive deposition outlines, and (c) coordinating deposition strategy and questioning with Settlement Class Counsel;

(13) taking seventeen depositions, including of key fact witnesses, and assisting in the preparations of three additional depositions;

(14) drafting and filing, in cooperation with Settlement Class Counsel and Defendants, 25 joint status reports and attending and participating in seven status conferences;

(15) Working closely with the expert economists and other experts in, *inter alia*, the procurement of data and information needed for their analyses and to ensure that their analyses fit the needs of the case;

(16) leading the settlement negotiations with Settling Defendants, which lasted several months, including by participating in several mediations and negotiating the individual settlement terms after settlements in principle had been reached; and

(17) leading the drafting and filing of preliminary approval papers for all Settlements to date.

Additional information and detail concerning Settlement Class Counsel's work investigating and litigating the Action is provided in the accompanying Joint Declaration of Edward Normand, Robert D. Gilbert, and Eric L. Cramer in Support of Plaintiffs' Memorandum of Law in Support of Their Motion for Award Of Attorneys' Fees, for Reimbursement of Expenses, and for Service Awards for the Class Representatives.

3. The lodestar amount reflected in Exhibit A is for work performed by attorneys and professional staff at, or affiliated with, my firm for the benefit of the Settlement Class. The hourly rates for the attorneys and professional staff in my firm reflected in Exhibit A are the usual and customary hourly rates used by my firm in similar contingent complex litigation or other matters. My firm's work on this case was performed on a wholly contingent basis. My firm has a total lodestar (at historical rates) in connection with the initiation and prosecution of the Action from inception of the case through March 31, 2024 of \$17,053,643.00.

4. My firm has expended a total of \$856,533.14 in unreimbursed costs and expenses in connection with the prosecution of the Action from inception of the case through and including March 31, 2024. These costs are set forth in the Schedule attached as Exhibit B and are

reflected on the books and records of my firm. They were incurred on behalf of the Settlement Class by my firm and have not been reimbursed.

5. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 29th day of April, 2024, in Philadelphia, Pennsylvania.

/s/ Eric L. Cramer
Eric L. Cramer

EXHIBIT A

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

ANDREW CORZO, SIA HENRY,
ALEXANDER LEO-GUERRA, MICHAEL
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HOPKINS UNIVERSITY, MASSACHUSETTS
INSTITUTE OF TECHNOLOGY,
NORTHWESTERN UNIVERSITY,
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THE TRUSTEES OF THE UNIVERSITY OF
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and YALE UNIVERSITY,

Defendants.

Case No. 1:22-cv-00125

Hon. Matthew F. Kennelly

**EXHIBIT A TO THE DECLARATION OF ERIC L. CRAMER IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES,
FOR REMBURSEMENT OF EXPENSES, AND FOR SERVICE
AWARDS FOR THE CLASS REPRESENTATIVES**

Reported Hours and Historical Lodestar

Inception through March 31, 2024

NAME	POSITION	HOURS	RATE	LODESTAR	YEAR
Cramer, Eric	CH	128.90	990.00	127,611.00	2021
		432.70	1,100.00	475,970.00	2022
		889.90	1,160.00	1,032,284.00	2023
		187.00	1,390.00	259,930.00	2024
Litan, Robert E.	S	37.80	500.00	18,900.00	2021
		1,144.20	1,100	1,258,620.00	2022
		1,590.40	1,150.00	1,828,960.00	2023
		312.60	1,350.00	422,010.00	2024
Davis, Joshua	S	1.70	980.00	1,666.00	2022
Noteware, Ellen	S	583.50	825.00	481,387.50	2023
		194.20	1,110.00	213,620.00	2024
Drake, E. Michelle	S	1.70	820.00	1,394.00	2021
		2.00	920.00	1,840.00	2022
Walker, Daniel	S	59.30	660.00	39,138.00	2021
		114.30	730.00	83,439.00	2022
		127.40	775.00	98,735.00	2023
Madden, Patrick	S	2.80	690.00	1,932.00	2022
Fedullo, William	A	56.10	535.00	30,013.50	2023
		0.30	635.00	190.50	2024
Gradwohl, Jeremy	A	71.10	520.00	36,972.00	2023
		112.30	605.00	67,941.50	2024
Brinn, Hope	A	537.90	490.00	263,571.00	2022
		1,556.60	525.00	817,215.00	2023
		390.60	610.00	238,266.00	2024
Langer, David	SC	162.90	735.00	119,731.50	2023
		148.60	870.00	129,282.00	2024
Schwartz, Richard	SC	14.20	660.00	9,372.00	2022
		146.60	690.00	101,154.00	2023
		125.80	850.00	106,930.00	2024
Aviles, Natisha	SC	23.20	595.00	13,804.00	2023
		82.60	695.00	57,407.00	2024
Hartman, Matthew	C	140.00	685.00	95,900.00	2023
		311.00	785.00	244,135.00	2024
Copenhaver, John	C	1,252.10	675.00	845,167.50	2023
		611.30	775.00	473,757.50	2024
Sawczuk, Lara	C	301.30	585.00	176,260.50	2023
		480.00	685.00	328,800.00	2024
Federbusch, Stephen	C	154.30	685.00	105,695.50	2023
Ahmad, Zubair	C	113.30	605.00	68,546.50	2023
		0.60	705.00	423.00	2024

NAME	POSITION	HOURS	RATE	LODESTAR	YEAR
Hamner, Peter	C	1.20	585.00	702.00	2023
Gallucci, Dominic	C	268.00	540.00	144,720.00	2023
		528.30	540.00	285,282.00	2024
Ajayi, Lillian	DR	206.10	775.00	159,727.50	2023
		260.10	850.00	221,085.00	2024
Alper, David	DR	297.00	745.00	221,265.00	2023
		248.60	825.00	205,095.00	2024
Caesar, Sharon	DR	320.00	710.00	227,200.00	2023
		220.00	800.00	176,000.00	2024
Carty, Tom	DR	320.00	705.00	225,600.00	2023
		217.00	790.00	171,430.00	2024
Park, Sye	DR	317.70	685.00	217,624.50	2023
		250.70	770.00	193,039.00	2024
North, Rhonda	DR	315.90	655.00	206,914.50	2023
		259.00	750.00	194,250.00	2024
Othman, Yaser	DR	280.00	625.00	175,000.00	2023
		260.00	720.00	187,200.00	2024
Gardner, Dorry	DR	280.00	625.00	175,000.00	2023
		248.30	720.00	178,776.00	2024
Rutledge, Diva	DR	280.10	625.00	175,062.50	2023
		223.10	720.00	160,632.00	2024
Olivier, Vaness	DR	283.20	625.00	177,000.00	2023
		224.70	720.00	161,784.00	2024
Cohen, Carson	DR	320.00	615.00	196,800.00	2023
		259.50	720.00	186,840.00	2024
Ahearn, Donald	DR	320.00	635.00	203,200.00	2023
		259.80	730.00	189,654.00	2024
Igbinoghene, Valeria	DR	280.80	575.00	161,460.00	2023
		238.30	650.00	154,895.00	2024
Ataande, Achumboro	DR	320.00	575.00	184,000.00	2023
		260.00	650.00	169,000.00	2024
Marquez, Melissa	DR	289.80	575.00	166,635.00	2023
		227.80	650.00	148,070.00	2024
Park, David	DR	157.50	565.00	88,987.50	2023
Hebert IV, John	DR	4.40	340.00	1,496.00	2023
Filbert, David	PL	89.60	420.00	37,632.00	2023
		56.20	450.00	25,290.00	2024
York, Elizabeth	PL	260.90	420.00	109,578.00	2023
		91.30	450.00	41,085.00	2024
Choe, Caroline	PL	3.50	405.00	1,417.50	2023
Ginis, Haroula	PL	13.50	405.00	5,467.50	2023

NAME	POSITION	HOURS	RATE	LODESTAR	YEAR
Willett, Michelle	PL	72.90	405.00	29,524.50	2023
Werwinski, Diane	PL	1.20	390.00	468.00	2022
		3.40	410.00	1,394.00	2023
Brandy, Max	PL	6.50	390.00	2,535.00	2023
Gebo, Rachel	PL	5.50	310.00	1,705.00	2021
		20.90	390.00	8,151.00	2022
Leo, Susan	PL	2.50	300.00	750.00	2021
		1.10	340.00	374.00	2022
		3.80	375.00	1,425.00	2023
		1.70	450.00	765.00	2024
Wolfinger, Caitlin	PL	5.00	340.00	1,700.00	2022
Magnus, Eleanor	LA	11.60	240.00	2,784.00	2022
		2.30	260.00	598.00	2023
		3.40	285.00	969.00	2024
Simon, Connie	LA	17.30	240.00	4,152.00	2022
		27.00	240.00	6,480.00	2023
TOTAL		22,351.1		17,053,643.00	

Role Legend

P Chairman
 S Shareholder
 SC Senior Counsel
 OC Of Counsel
 C Counsel
 DR Document Review Attorney
 A Associate
 LC Law Clerk
 PL Paralegal
 LA Legal Assistant (when doing
 paralegal work)

Reported Total Hours and Blended Rate Lodestar

Inception through March 31, 2024

NAME	POSITION	LAW SCHOOL GRAD DATE	HOURS	BLENDED RATE	LODESTAR
Cramer, Eric	CH	1993	1,638.50	1,157.03	1,895,795.00
Litan, Robert	S	1977	3,085.00	1,143.76	3,528,490.00
Davis, Joshua	S	1993	1.7	980.00	1,666.00
Noteware, Ellen	S	1993	777.7	893.68	695,007.50
Drake, E. Michelle	S	2001	3.7	874.05	3,234.00
Walker, Daniel	S	2005	301	735.26	221,312.00
Madden, Patrick	S	2010	2.8	690.00	1,932.00
Fedullo, William	A	2019	56.4	535.53	30,204.00
Gradwohl, Jeremy	A	2021	183.4	572.05	104,913.50
Brinn, Hope	A	2020	2,485.10	530.78	1,319,052.00
Langer, David	SC	1999	311.5	799.4	249,013.50
Schwartz, Richard	SC	2004	286.6	758.74	217,456.00
Aviles, Natisha	SC	2010	105.8	673.07	71,211.00
Hartman, Matthew	C	1997	451	753.96	340,035.00
Copenhagen, John	C	1999	1,863.40	707.81	1,318,925.00
Sawczuk, Lara	C	2011	781.3	646.44	505,060.50
Ahmad, Zubair	C	2007	113.9	605.52	68,969.50
Hamner, Peter	C	2010	1.2	585.00	702.00
Gallucci, Dominic	C	2017	796.3	540.00	430,002.00
Ajayi, Lillian	DR	1982	466.2	816.84	380,812.50
Alper, David	DR	1985	545.6	781.45	426,360.00
Caesar, Sharon	DR	1991	540	746.67	403,200.00
Carty, Tom	DR	1996	537	739.35	397,030.00
Park, Sye	DR	1998	568.4	722.49	410,663.50
North, Rhonda	DR	2003	574.9	697.8	401,164.50
Federbusch, Stephen	DR	2000	154.3	685.00	105,695.50
Othman, Yaser	DR	2008	540	670.74	362,200.00
Gardner, Dorry	DR	2008	528.3	669.65	353,776.00
Rutledge, Diva	DR	2008	503.2	667.12	335,694.50
Olivier, Vaness	DR	2008	507.9	667.03	338,784.00
Cohen, Carson	DR	2009	579.5	639.93	383,640.00
Ahearn, Donald	DR	2007	579.8	633.84	392,854.00
Igbinoehene, Valeria	DR	2015	519.1	609.43	316,355.00
Ataande, Achumboro	DR	2015	580	608.62	353,000.00
Marquez, Melissa	DR	2015	517.6	608.00	314,705.00
Park, David	DR	2016	157.5	565.00	88,987.50
Hebert IV, John	DR	1989	4.4	340.00	1,496.00
Filbert, David	PL	--	145.8	431.56	62,922.00

NAME	POSITION	LAW SCHOOL GRAD DATE	HOURS	BLENDED RATE	LODESTAR
York, Elizabeth	PL	--	352.2	427.78	150,663.00
Choe, Caroline	PL	--	3.5	405.00	1,417.50
Ginis, Haroula	PL	--	13.5	405.00	5,467.50
Willett, Michelle	PL	--	72.9	405.00	29,524.50
Werwinski, Diane	PL	--	4.6	404.78	1,862.00
Brandy, Max	PL	--	6.5	390.00	2,535.00
Gebo, Rachel	PL	--	26.4	373.33	9,856.00
Leo, Susan	PL	--	9.1	364.18	3,314.00
Wolfinger, Caitlin	PL	--	5	340.00	1,700.00
Magnus, Eleanor	LA	--	17.3	251.50	4,351.00
Simon, Connie	LA	--	44.3	240.00	10,632.00
TOTAL			22,351.1		17,053,643.00

Role Legend

CH Chairman
 S Shareholder
 SC Senior Counsel
 OC Of Counsel
 C Counsel
 DR Document Review Attorney
 A Associate
 LC Law Clerk
 PL Paralegal
 LA Legal Assistant (when doing
 paralegal work)

EXHIBIT B

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

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ALEXANDER LEO-GUERRA, MICHAEL
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PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES,
FOR REMBURSEMENT OF EXPENSES, AND FOR SERVICE
AWARDS FOR THE CLASS REPRESENTATIVES**

Reported Expenses on Behalf of Plaintiffs
Inception through March 31, 2024

Category	Amount
Litigation Fund Contributions	660,000.00
Photocopying	31,964.25
Service of Process	0.00
Computer Research	10,719.92
Court Fees (filings, etc.)	750.00
Court Reports/Transcripts	9,837.98
Telephone/Fax	60.95
Postage	4,082.56
Overnight Delivery/Messengers	3,833.26
Expert Fees	5,000.00
Witness/Service Fees	0.00
Travel: Air Transportation, Ground Travel, Meals, Lodging, etc.	49,232.79
Database Hosting Services	77,446.83
Co-Counsel Fees	0.00
Outside Contractor	142.20
Publication	2817.99
Miscellaneous	644.41
Total	856,533.14